



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष ५, अंक ७३]

मंगळवार, फेब्रुवारी १८, २०१४/माघ २९, शके १९३५

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असाधारण क्रमांक २०

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 30th November 2013

Notice

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS.1212/79/CR-60/12/2013/UD-12.—Whereas the Development Plans and Development Control Regulations (hereinafter referred to as “the said Regulations”) for the Municipal Corporations of Thane, Kalyan-Dombivali, Mira-Bhayander, Bhivandi-Nizampur, Ulhasnagar, Vasai-Virar and the Municipal Councils of Ambernath, Kulgaon-Badlapur, Panvel, Karjat, Pen, Uran, Alibag, Khopoli (hereinafter referred to as “the said Municipal Corporations and Municipal Councils”) within the limits of the Mumbai Metropolitan Region (MMR) are sanctioned by the Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) from time to time and the same are in force ;

And whereas, in exercise of the powers contained in section 37(1) of the said Act, read with the provisions contained in section 154 of the said Act, the Government had issued directions to the Municipal Corporation of Greater Mumbai, excluding Island City, *vide* order of order dated 6th August 2008 (ii) the Municipal Corporation of Ulhasnagar *vide* order dated 25th August 2009 (iii) the Municipal Corporations of Thane, Kalyan-Dombivali, Mira-Bhavander and Bhiwandi-Nizampur, the Municipal Council of Panvel and the Special Planning Authority areas of Vasai-Virar Sub region and Ambernath, Kulgaon-Badlapur and the surrounding notified area *vide* order dated 4th November 2008 and (iv) the Municipal Councils of Karjat, Pen, Uran, Alibag, Khopoli *vide* order dated 21st August 2008 (hereinafter referred to as ‘the said directives’) to initiate modification to the said Regulations to add a new Regulation regarding Rental Housing Scheme and also appointed Mumbai Metropolitan Region Development Authority (MMRDA) as the Implementing Authority for Rental Housing Projects in MMR ;

And whereas, considering the need for rationalizing the Rental Housing Scheme and to make the Rental Housing Scheme more effective as well as to suggest the strategy for maintenance and management of Rental Housing Stock, the Government constituted a Committee *vide* Government Resolution No. Misc/2009/1301/C.R. 271/09/UD-12, dated 17th May 2012 (hereinafter referred to as ‘the said Committee’) ;

(१)

And whereas, the said Committee submitted its final Report (Part-2) to the Government on 7th February 2013 ;

And whereas, after considering the Committee's recommendations, the Government feels it necessary that the Rental Housing Scheme should be replaced by " Affordable Housing Scheme " (hereinafter referred to as ' the Scheme ') and in supersession of the said directives, suitable provisions for implementation of the Affordable Housing Scheme be incorporated in the said Regulations.

Now, therefore, in accordance with the provisions contained in sub-section (1AA) of section 37 of the said Act; the Government hereby, in supersession of the said directives, publishes this notice for inviting suggestions and/or objections from the general public in respect of the proposed modification, described in the Schedule appended hereto, to the said Regulations of the said Municipal Corporations and the Municipal Councils within the Mumbai Metropolitan Region, within 30 (thirty) days from the date of publication of the notice in the *Official Gazette*. The suggestions and/or objections shall be addressed to the Joint Director of Town Planning Konkan Division, Konkan Bhavan, Navi Mumbai who is hereby appointed as the Officer under Section 162 of the said Act and authorized to hear the suggestions and/or objections which may be received within the aforesaid prescribed period and submit his report to the Government. Only the suggestions and/or objections received within the aforesaid stipulated period shall be considered by the Government.

A copy of the proposed modification for Affordable Housing Scheme in the areas of the said Municipal Corporations and Municipal Councils in the Mumbai Metropolitan Region shall be kept open for inspection by the general public in the offices of the following officers for the period of one month :—

- (1) The Metropolitan Commissioner, Mumbai Metropolitan Regional Development Authority, Bandra-Kurla Complex, Mumbai.
- (2) Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
- (3) The Municipal Commissioners, Thane/Kalyan-Dombivli/Mira-Bhayandar/Bhivandi-Nizampur/Ulhasnagar/Vasai-Virar Corporations.
- (4) Asst. Director of Town Planning, Thane/Raigad-Alibag.
- (5) The Chief Officers of Ambernath, Kulgoan-Badlapur, Panvel, Karjat, Pen, Uran, Alibag, Khopoli Municipal Councils.

This notice is also available on the Government website www.maharashtra.gov.in

Schedule

Regulations for Affordable Housing Scheme

1. In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme* in accordance with the provisions of this Regulations. Affordable Housing Scheme (hereinafter referred to as " the Scheme ") shall be permissible only on the lands situated within the limits of the Urban Local Bodies (ULBs) in the Mumbai Metropolitan Region (MMR) excluding the area under the Municipal Corporation of Greater Mumbai, Municipal Corporation of Navi Mumbai and Matheran Municipal Council.

2 (i) Affordable Housing Scheme shall be permissible in Residential Zone only and on plots having access from an existing or proposed road having width equal to or in excess of 18 mt. where permissible FSI is 1.00 or more and where TDR more than 0.6 is allowable. However in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 1 or where use of TDR is not permissible.

(ii) Minimum plot area for the Affordable Housing Scheme shall be 4000 sq.mt., excluding area under D.P. Roads and D.P. Reservations, if any.

(iii) The plot under the Scheme shall be independent, unencumbered and contiguous.

(iv) The Scheme shall not be permissible in congested areas, demarcated as such on the Development Plan.

3. The concerned Urban Local Body, being a Planning Authority, shall be competent to grant location clearance and layout approval/building permission simultaneously for an Affordable Housing Scheme.

4 (i) Maximum permissible FSI (including the base FSI of 1.00) under the Scheme shall be 3.00 on the gross plot area, including mandatory layout recreational open space but excluding Amenity Space. The FSI to be utilized shall be in the proportion of 1:3 for the Affordable Housing component and the Free Sale Housing Component on $\frac{1}{4}$ th and $\frac{3}{4}$ th part of the plot of land, respectively. Thus Affordable Housing and Free Sale Housing shall be proposed on the same plot of land but on two separate independently buildable pockets.

(ii) Under Affordable Housing Scheme, upto 15% of the FSI shall be used for construction of shops/commercial use and handed over to the concerned ULB free of cost.

5 (i) An Affordable Housing Unit shall be a self-contained dwelling unit of 25 sq.mt. carpet area. However the carpet area of an Affordable Housing Unit shall be 160 sq.ft. where the construction under the Rental Housing Scheme has already commenced.

(ii) The amenity space for affordable housing shall be 10% of the gross plot area under the Scheme and it shall be proportionately provided in the area earmarked for the affordable housing component and the area kept for free sale housing component.

(iii) Under the Affordable Housing Scheme, there shall be a welfare hall and a Balwadi at the rate of 30 sq.mt. for every multiple or part of 200 residential units and an office for Managers/Co-operative Housing Society at the rate of 30 sq.mt. per every multiple or part of 500 residential units which shall be treated as a part of Affordable Housing Component and shall not be counted towards the FSI while computing 3.00 FSI on the site and shall be given along with layout/DP roads and shops, free of cost to the concerned ULB. These facilities shall be constructed at locations as suggested by the concerned ULB and shall be transferred free of cost to it.

6. Under the affordable Housing Scheme, off-site Infrastructure Charges at the rate of 5% of the Annual Statement of Rates (ASR) for the year in which Commencement Certificate is issued, subject to a minimum of Rs. 2000 per sq.mt. shall be paid by the Developer for the built-up area, over and above the normal permissible FSI. This amount shall be paid to the concerned ULB.

7. Release of FSI under the Scheme shall be as Follows :

FSI for Affordable Housing Component and the Free Sale Housing Component under the Scheme shall be released in accordance with the following Table :—

Sr. No.	Stages of Release of FSI	Affordable Housing Component*	Free Sale Component*
(1)	(2)	(3)	(4)
1	On Grant of BP/CC upto Plinth by ULB/Planing Authority to the Affordable Housing Project	3.00	1.00
2	On Completion of 50% BUA of Affordable Component.	...	0.75
3	On Completion of 100% BUA of Affordable Component.	...	0.75
4	On handing over of 25 % land and Completed Affordable Housing component buildings with Occupancy Certificate.	...	0.50
Total ..		3.00*	3.00*

* *Explanation.*—The FSI of 3.00 is to be calculated separately on the one-fourth of plot area for Affordable Housing Component as well as three-fourth of plot area for Free-Sale Housing Component.

8. The Affordable Housing Component under the Scheme shall be handed over along with the $\frac{1}{4}$ th part of the total plot of land, free of cost to the concerned ULB.

9 (i) The Affordable Housing Stock created under the Scheme shall be allotted by the concerned ULB as follows :—

Percentage	Allotment to	Category of Stock	Rate of Allotment
(1)	(2)	(3)	(4)
25	Respective ULBs for use as PAP tenements or Staff Quarters or Transit Accommodation.	Ownership	Free of cost
25	Outright sale to Government of Maharashtra and its statutory bodies/Government undertakings for use as PAP tenements of staff quarters of transit accommodation.	Ownership	As per construction rate of ASR.
50	Outright sale as Affordable Housing MHADA subject to the general or specific direction of the Government.	Ownership	Free of cost to MHADA which shall dispose of the same as per its pricing policy and by drawal of lots.

(ii) The Affordable Housing Stock shall be disposed of as per the prevailing policy of MHADA regarding pricing and disposal of its housing stock meant for affordable housing. Each project approved under the Scheme shall be brought to the notice of the Government of Maharashtra and its statutory bodies/Government undertakings by means of Press Advertisement and if the Government of Maharashtra or any of its statutory bodies/Government Undertakings doesn't place firm requirement for the housing stock earmarked for them in the Scheme before the Completion Certificate / Occupation Certificate for the said Scheme is issued, the same shall come to the share of MHADA for outright sale as per the prevailing policy of the MHADA.

10. The other aspects of the development of Affordable Housing Scheme, not specifically dealt with hereinabove, shall be as per the relevant provisions of the Development Control Regulations of the respective Planning Authority.

11. No project under the Rental Housing Scheme envisaged under the said directives issued by the Government *vide* orders dated 6th August 2008, 25th August 2009, 4th November 2008 and 21st August 2008 shall be permitted after the date of publication of the Notice regarding this Regulation under section 37(1AA) of the Maharashtra Regional and Town Planning Act, 1966 in the *Official Gazette* (hereinafter referred to as 'the cut of date') :

Provided that the Rental Housing Projects in respect of which location clearance has been granted by the MMRDA and commencement certificate has been issued by the concerned Planning Authority before the aforesaid cut of date, shall be allowed to continue in accordance with the provisions of the said directives regarding the Rental Housing Scheme.

By order and in the name of the Governor of Maharashtra,

SANJAY V. PAWAR,
Section Officer.